

REMARKS

In accordance with the foregoing, claims 1 and 9 have been amended. Claim 10 has been cancelled without prejudice. Therefore, after entry of the foregoing claim amendments, claims 1-7 and 9 will remain pending and under examination. No new matter is being presented, and approval of the amended claims is respectfully requested.

Rejection under 35 U.S.C. §112

Claim 10 is rejected as failing to comply with the written description requirement. Claim 10 is cancelled herein without prejudice. As a result, the rejection thereof is considered moot.

Rejections under 35 U.S.C. §103(a)

Claims 1, 3, 5-7 and 9-10 stand rejected as being unpatentable over Klovborg (U.S. 2003/0125075) in view of Lelievre et al. (U.S. 2003/0040272) (hereinafter “Lelievre”). The rejections are respectfully traversed and reconsideration is requested. The following is a comparison between embodiments of the present invention and the cited art.

Independent claim 1, for example, is amended herein to recite a control unit operable to cause the receiving unit to start receiving a preset broadcast at a time before an alarm set time by a predetermined time period that is necessary for selecting one of a plurality of broadcasts. For support, see paragraph [0032] of the present specification, which explains that the control unit 290 judges whether a time outputted from the clock unit 260 is before an alarm set time by a predetermined time period (e.g., by one minute). The control unit 290 completes each operation in Steps S609 to S613, S617 to S711, and S715 to S719 before the alarm set time comes. As one exemplary advantage to embodiments of the present invention, a unique effect can be exhibited where it is possible to search a broadcast wave having a predetermined receiving intensity and output a broadcast at an alarm set time without delay.

On page 4 of the Action, the Examiner notes that Klovborg fails to teach receiving a broadcast at a predetermined time before an alarm set time, but states that this feature is commonly known in the art, as can be seen allegedly in Taura (U.S. Patent No. 6,067,332) (citing column 1, lines 24-40). However, according to the description of Taura, before reception can begin, the receiver must synchronize itself with the broadcast signal and accurately tune itself to the broadcast frequency, before synchronization and fine tuning are accomplished. So, the process of Taura takes a certain amount of time. Taura discloses a common technique in which synchronization processing is necessary for receiving a desired communication wave; however, it takes time to perform this synchronization processing. In fact, the cited portion of Taura fails to disclose an alarm set time at all.

Moreover, the cited art, including Taura, discloses synchronization processing for receiving one broadcast, but fails to disclose processing for selecting one broadcast having a predetermined receiving intensity among a *plurality* of broadcasts.

Taura, as well as the other cited references, fails to teach or even suggest a control unit operable to cause the receiving unit to start receiving a preset broadcast at a time before an alarm set time by a predetermined time period that is necessary for selecting one of a plurality of broadcasts, as recited in amended claim 1.

Lelievre fails to cure the deficiencies of Klovborg and Taura described above. Therefore, it is respectfully submitted that independent claim 1 patentably distinguishes over the cited art, alone or in combination. Independent claim 9 is amended herein to recite “at a time before an alarm set time by a predetermined time period that is necessary for selecting one of a plurality of broadcasts.” Thus, it is further submitted that independent claim 9 should be allowable for at least the foregoing reasons. The pending dependent claims inherit the patentability of independent claim 1. Claim 10 is cancelled, and the rejection thereof is considered moot.

Claim 2 stands rejected as being unpatentable over Klovborg in view of Lelievre, and further in view of Itoh et al. (U.S. 2004/0259495). Claim 2 inherits the patentability of independent

claim 1 and is allowable for at least the reasons presented herein. It is further submitted that Itoh et al. fails to cure the deficiencies of the cited art described above.

Claim 4 stands rejected as being unpatentable over Klovborg in view of Lelievre, and further in view of De Verteuil (U.S. 2003/0148771). Claim 4 inherits the patentability of independent claim 1 and is allowable for at least the reasons presented herein. It is further submitted that De Verteuil fails to cure the deficiencies of the cited art described above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 278542009000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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